

DRAFT

# **CITY COUNCIL RESOLUTIONS**

## **General Plan Update Staff Report**

City of Chula Vista

December 2005

RESOLUTION NO. 2005-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE CITY'S COMPREHENSIVE GENERAL PLAN UPDATE, WITH THE EXCEPTION OF THE LAND USE MAP AND LAND USE AND TRANSPORTATION ELEMENT PROVISIONS FOR THE DOWNTOWN THIRD AVENUE DISTRICT (SECTION 9.5.1), AND THE H STREET CORRIDOR DISTRICT AND ITS FOCUS AREAS (SECTIONS 9.5.2, 9.5.3, AND 9.5.4); REPEALING THE MONTGOMERY SPECIFIC PLAN; AND AMENDING THE CITY'S MULTIPLE SPECIES CONSERVATION PROGRAM SUBAREA PLAN

WHEREAS, the City of Chula Vista's current General Plan was last comprehensively updated in July 1989, with a partial update conducted in conjunction with adoption of the Otay Ranch project in 1993; and,

WHEREAS, pursuant to State law, the City has undertaken a periodic, comprehensive review to update its General Plan looking out to the year 2030; and,

WHEREAS, the current Housing Element of the General Plan is subject to 5-year periodic updates under separate provisions of State law, and is therefore not affected by this comprehensive General Plan Update, and will remain in its current form until its next update under applicable State law; and,

WHEREAS, the comprehensive General Plan Update project ("GPU") was initiated with a public Town Hall Meeting in April 2002; and,

WHEREAS, the City and its consultants worked over the next three years in the conduct of an extensive, four-phased public outreach and input process to gather information needed to prepare the GPU, and to share with and receive feedback from the public on various interim work products, and the proposed draft GPU; and,

WHEREAS, that public outreach and input process involved five other Town Hall meetings, and four ad-hoc committees with over 50 citizen members holding over 70 meetings, that included a Steering Committee, Economic Development Subcommittee, Public Facilities & Services Subcommittee, and Environment, Open Space & Sustainable Development Subcommittee; and,

WHEREAS, as part of this three-year process, staff and the consultants also met with the Planning Commission and/or City Council on 19 occasions to provide updates and present interim work products, and to receive preliminary input and direction regarding policy issues and the land use and transportation scenarios to be evaluated; and,

WHEREAS, the areas of land which are the subject of this Resolution contain all lands within the boundaries of the City's General Plan Area as diagrammatically depicted on the General Plan Land Use Diagram presented as Figure 5-12 of the proposed Land Use and Transportation Element, except the Downtown Third Ave. District and the H Street Corridor District as shown on Figures 5-27 and 5-28 respectively, of the proposed Land Use and Transportation Element; and,

WHEREAS, within that overall General Plan Area, the substantive amendments to land use and transportation are associated with particular focus areas within the Northwest, Southwest and East Planning Areas as presented in the proposed General Plan document, and include both amendments proposed by the City, as well as those proposed in the East Planning Area thorough private General Plan Amendment (GPA) applications filed with the Planning and Building Department of the City of Chula Vista by the Otay Ranch Company, Otay Land Company, and Flat Rock Land Company; and,

WHEREAS, as more fully described in the GPU staff report, the EIR project description, and the General Plan documents themselves (on file with the City Clerk's Office), the amendments proposed by the General Plan Update generally include the addition of overall housing capacity and an increased density for that additional capacity; the addition of three new Mixed Use classifications; the retention and expansion of industrial employment lands; the creation of a more intensive urban core area in Northwest Chula Vista, and an urban core roadway network and classifications for that area; the addition of a new Urban Core Residential classification; miscellaneous revisions to the circulation roadway network, and the addition of a rapid transit system network; the improvement of connections between eastern and western Chula Vista, and the connection of major activity centers throughout the City such as major shopping centers, educational and sporting facilities, and major community centers; the designation of land to accommodate a distinctive multi-institutional university facility; preservation of large areas of natural open space and the addition of an Open Space Preserve classification to acknowledge those areas covered by the City's MSCP Subarea Plan; and re-arrangement and creation of new land uses and village/town center boundaries within the Otay Ranch; and

WHEREAS, in conjunction with adoption of the City's MSCP Subarea Plan on May 13, 2003, it was noted that a mapping correction was needed to change approximately 45 acres of active recreation uses land uses within the Otay River Valley to Preserve designation; and,

WHEREAS, the City adopted the Montgomery Specific Plan in 1988 pursuant to Resolutions No. 13413 and 13780, which was a policy plan and did not contain any separate ordained zoning regulations for the area; and,

WHEREAS, the proposed GPU Land Use and Transportation Element now contains a Southwest Area Plan that incorporates the remaining, relevant policy provisions from the Montgomery Specific Plan, and calls for the preparation of several more localized Specific Plans within the Area; and,

WHEREAS, in December 2004, the City originally released the proposed GPU for public review; and,

WHEREAS, the City has referred the proposed GPU to all necessary entities required by the State Planning and Zoning Law, Government Code section 65000 et seq.; and,

WHEREAS, pursuant to California Government Code section 65302.5, the City transmitted the Draft GPU and supporting technical documents to the Office of the State Geologist in the Department of Conservation, State Geological Survey (the current name of the Division of Mines and Geology) (“Division”) on January 18, 2005, for review and comment. The submittal also included an explanation of how various parts of the Draft GPU addressed safety element and related requirements. The Division provided informal verbal comments to staff by phone on January 25, 2005, that characterized the GPU as having excellent policies and as one of the better documents reviewed. No written comments were received; and,

WHEREAS, pursuant to the requirements of California Public Utilities Code Sections 21670 – 21679.5, the City submitted the GPU to the San Diego County Regional Airport Authority (“Authority”) for a determination of consistency with the Brown Field Airport Land Use Compatibility Plan (“ALUCP”). As documented in a May 5, 2005, letter from the Authority to the City, the Authority determined that the proposed GPU is consistent with the current ALUCP; and

WHEREAS, as a result of the substantial public comments received during the review of the GPU, the City determined in March 2005, that it would pause the GPU process to consider the comments and entertain revisions to the Plan in response; and,

WHEREAS, in September 2005, the City released a revised set of GPU documents and a re-circulated Draft EIR for a second public review; and,

WHEREAS, pursuant to California Government Code section 65090, the Planning Commission held a duly noticed public hearing on the GPU on December 8, 2005, (and December 12, 2005 if needed), and recommended that the City Council adopt the Resolutions approving the GPU and its related actions; and,

WHEREAS, the proceedings and all evidence introduced before the Planning Commission at the public hearing on this project held on December 8, 2005 (and December 12, 2005 if needed), and the minutes and resolution resulting there from, are hereby incorporated into the record of these proceedings; and

WHEREAS, the City Clerk set the time and place for the hearing on the GPU and notices of said hearings, together with its purposes given by its publication in a newspaper of general circulation in the City, at least ten days prior to the hearing; and,

WHEREAS, pursuant to California Government Code section 65090, the City Council held a duly noticed public hearing on December 13, 2005 (and December 20, 2005 if needed), on the subject GPU;

NOW, THEREFORE BE IT RESOLVED, the City Council hereby finds, determines and resolves as follows:

## I. PLANNING COMMISSION RECORD

The proceedings and all evidence introduced before the Planning Commission at their public hearing held on December 8, 2005, (and December 12, 2005 if needed), and the minutes and resolutions resulting there from are hereby incorporated into the record of this proceeding. These documents, along with any documents submitted to the decision makers, and all documents specified in Public Resources Code Section 21167.6 as well as those specified in the accompanying CEQA findings, shall comprise the entire record of the proceedings for any California Environmental Quality Act (CEQA) claims.

## II. FINAL EIR- REVIEWED AND CONSIDERED FINDINGS; APPROVALS

The City Council of the City of Chula Vista reviewed, analyzed, considered, approved and certified a Final EIR, made certain Findings of Fact, adopted a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program for the GPU, pursuant to CEQA, by Resolution No.2005-\_\_\_\_\_.

## III. GENERAL PLAN INTERNAL CONSISTENCY

The City Council hereby finds and determines that the General Plan, as amended, is internally consistent and shall remain internally consistent following amendments thereof by this Resolution.

## IV. GENERAL PLAN AMENDMENT FINDINGS / APPROVAL

1. The City Council hereby finds that the General Plan Update, as approved in this Resolution, complies with applicable requirements of the State Planning and Zoning Law. In particular, the GPU's proposed Element structure includes the content requirements for all seven mandatory elements pursuant to Government Code section 65302 as shown below:

<u>Mandated Element</u>	<u>Chula Vista GPU Element</u>
Land Use	Land Use & Transportation
Circulation	Land Use & Transportation
Housing	Housing
Conservation	Environmental
Open Space	Environmental
Noise	Environmental
Safety	Environmental

2. The GPU Element structure also includes content related to a number of optional elements not required by State Planning and Zoning Law as shown below:

<u>Suggested Optional Element</u>	<u>Chula Vista GPU Element</u>
Sustainable Development	Environmental
Public Facilities	Public Facilities & Services

Parks and Recreation  
Water  
Energy  
Economic/Fiscal

Public Facilities & Services  
Public Facilities & Services  
Public Facilities & Services  
Economic Development

The GPU also includes a Growth Management Element.

V. APPROVED GENERAL PLAN UPDATE AND CHULA VISTA MSCP SUBAREA PLAN AMENDMENT CONTENT

The collective amendments to the Chula Vista General Plan and the Chula Vista MSCP Subarea Plan hereby adopted pursuant to section IX below by the City Council, consist of the following documents included in the record of proceedings, and on file in the City Clerk's Office:

1. The September 2005 re-released Draft General Plan and General Plan Diagram (referenced as Document 1 of 2), excepting those portions of the Plan and Diagram pertaining to the Downtown Third Avenue District (GPU Section 9.5.1), and the H Street Corridor District and its Focus Areas (GPU Sections 9.5.2, 9.5.3 and 9.5.4).
2. The September 2005 Draft General Plan Proposed Edits (referenced as Document 2 of 2), excepting any edits pertaining to the Downtown Third Avenue District (GPU Section 9.5.1), and the H Street Corridor District and its Focus Areas (GPU Sections 9.5.2, 9.5.3 and 9.5.4).
3. The further edits regarding Transit Focus Areas as presented in Attachment 1 to the December 13, 2005, staff report, excepting any edits pertaining specifically to the TFA at H Street / Third Avenue.
4. Staff's supported land use alternatives, and related General Plan Update text and map erratas for the Freeway Commercial and Gun Club areas, as presented in Attachments 3A & 3B to the December 13, 2005, staff report.
5. The miscellaneous, additional GPU corrections as presented in Attachment 5 to the December 13, 2005, staff report.
6. The proposed land use alternatives and text revisions for the South Broadway and South Third Avenue areas as presented in Attachment 7A and 7B to the December 13, 2005, staff report.
7. The MSCP Subarea Plan mapping amendment as presented in Attachment 11 to the December 13, 2005, staff report.

VI. OTAY RANCH COMPANY GENERAL PLAN AMENDMENT APPLICATIONS (GPA-01-01 and GPA 03-10)

A. The approved GPU land use and circulation provisions resulting from the City's consideration of General Plan Amendment applications GPA-01-01 and GPA 03-10, reflect a variation from the Applicant's proposals as originally submitted within the Otay Ranch Village 2, 2 West and Village 3 and the Freeway Commercial portion of Planning Area 12 areas generally as follows, and as more specifically represented by the applicable provisions of the approved GPU documents listed in Section V above:

1. For Village Two and Village Two West, the industrial land use in the Otay Landfill buffer is maintained to provide a separation between the village residential uses and the Otay Landfill.
2. For Village Two and Village Three along Wolf Canyon, the open space boundary is maintained for consistency with the MSCP and Otay Ranch RMP Preserve.
3. For the Freeway Commercial portion of Planning Area 12, the GPU maintains the Retail Commercial designation, and denies that portion of the Applicant's request because:
  - a. The demand for retail property will remain very strong and the change to mixed use residential will reduce the inventory of available land needed retail commercial uses.
  - b. The property is situated in an area already planned to provide retail commercial services.
  - c. Its location surrounded by arterial roadways makes the property highly conducive to retail development while reducing its viability as a livable residential community.
  - d. Residential development of this site would be isolated from many necessary residential services and amenities and other residential communities and substantial residential capacity is already provided in other, better suited areas of Otay Ranch.

B. The City and the Applicant concur with regard to the proposals reflected in the approved GPU as referenced in VI.A above, with the exception of the Freeway Commercial portion of Planning Area 12, and the City Council finds that the proposals reflect sound planning principles and practices, and that these proposals are internally consistent with the balance of the GPU.

VII. OTAY LAND COMPANY GENERAL PLAN AMENDMENT APPLICATION (GPA-03-04)

A. The approved GPU land use and circulation provisions resulting from the City's consideration of General Plan Amendment application GPA-03-04, reflect a variation from the Applicant's proposals as originally submitted within the Otay Ranch Village 4, Village 8 and Village 9 areas generally as follows, and as more

specifically represented by the applicable provisions of the approved GPU documents listed in Section V. above:

1. The additional 40 acres of University in Village 9 is to provide for student and faculty housing on campus, which may be developed by the applicant.

B. The City and the Applicant concur with regard to the proposals reflected in the approved GPU as referenced in Section VII.A above, and the City Council finds that the proposals reflect sound planning principles and practices, and that these proposals are internally consistent with the balance of the GPU.

#### VIII. FLATROCK LAND COMPANY GENERAL PLAN AMENDMENT APPLICATION (GPA-03-08)

A. The approved GPU land use and circulation provisions resulting from the City's consideration of General Plan Amendment application GPA-03-08, reflect a variation from the Applicant's proposals as originally submitted within the Otay Ranch Planning Area 20 generally as follows, and as more specifically represented by the applicable provisions of the approved GPU documents listed in Section V. above:

1. Limiting Mixed Use Commercial to 15 acres, rather than the substantial mix of uses and residential requested, will sufficiently support active recreation uses in the Otay Valley consistent with the City's adopted Economic Development Strategy, while remaining consistent with the MSCP and Otay Ranch RMP requirements to limited any commercial uses to those in direct support of active recreation uses.

B. The City and the Applicant concur with regard to the proposals reflected in the approved GPU as referenced in VIII.A above, and the City Council finds that the proposals reflect sound planning principles and practices, and that these proposals are internally consistent with the balance of the GPU.

#### IX. ADOPTION OF GENERAL PLAN UPDATE AND MSCP SUBAREA PLAN AMENDMENT

In light of the findings above, the General Plan Update, and the amendment to the Chula Vista MSCP Subarea Plan, are hereby approved and adopted in the form as presented in Section V and on file in the City Clerk's Office.

#### X. REPEALING OF THE MONTGOMERY SPECIFIC PLAN

The Montgomery Specific Plan is hereby repealed upon the effective date of the General Plan Update.



BE IT FURTHER RESOLVED, that the existing General Plan with the exception of the Housing Element is hereby repealed upon the effective date of the General Plan Update.

Presented by

Approved as to form by

James D. Sandoval  
Planning and Building Director

Ann Moore  
City Attorney

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RESOLUTION NO. 2005-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
CHULA VISTA APPROVING THE CITY'S COMPREHENSIVE  
GENERAL PLAN UPDATE LAND USE MAP AND LAND USE  
AND TRANSPORTATION ELEMENT PROVISIONS FOR THE  
DOWNTOWN THIRD AVENUE DISTRICT (SECTION 9.5.1)

WHEREAS, the City of Chula Vista's current General Plan was last comprehensively updated in July 1989, with a partial update conducted in conjunction with adoption of the Otay Ranch project in 1993; and,

WHEREAS, pursuant to State law, the City has undertaken a periodic, comprehensive review to update its General Plan looking out to the year 2030; and,

WHEREAS, the current Housing Element of the General Plan is subject to 5-year periodic updates under separate provisions of State law, and is therefore not affected by this comprehensive General Plan Update, and will remain in its current form until its next update under applicable State law; and,

WHEREAS, the comprehensive General Plan Update project ("GPU") was initiated with a public Town Hall Meeting in April 2002; and,

WHEREAS, the City and its consultants worked over the next three years in the conduct of an extensive, four-phased public outreach and input process to gather information needed to prepare the GPU, and to share with and receive feedback from the public on various interim work products, and the proposed draft GPU; and,

WHEREAS, that public outreach and input process involved five other Town Hall meetings, and four ad-hoc committees with over 50 citizen members holding over 70 meetings, that included a Steering Committee, Economic Development Subcommittee, Public Facilities & Services Subcommittee, and Environment, Open Space & Sustainable Development Subcommittee; and,

WHEREAS, as part of this three-year process, staff and the consultants also met with the Planning Commission and/or City Council on 19 occasions to provide updates and present interim work products, and to receive preliminary input and direction regarding policy issues and the land use and transportation scenarios to be evaluated; and,

WHEREAS, the areas of land which are the subject of this Resolution contain all lands within the boundaries of the General Plan Update's Downtown Third Ave. District as diagrammatically depicted on the General Plan Land Use Diagram presented as Figure 5-12, and also depicted on Figure 5-27, of the proposed Land Use and Transportation Element; and,

WHEREAS, as more fully described in the GPU staff report, the EIR project description, and the General Plan documents themselves (on file with the City Clerk's Office), the overall amendments proposed by the General Plan Update generally include the addition of housing capacity and an increased density for that additional capacity; the addition of three new Mixed Use classifications; the retention and expansion of industrial employment lands; the creation of a more intensive urban core area in Northwest Chula Vista, and an urban core roadway network and classifications for that area; the addition of a new Urban Core Residential classification; miscellaneous revisions to the circulation roadway network, and the addition of a rapid transit system network; the improvement of connections between eastern and western Chula Vista, and the connection of major activity centers throughout the City such as major shopping centers, educational and sporting facilities, and major community centers; the designation of land to accommodate a distinctive multi-institutional university facility; preservation of large areas of natural open space and the addition of an Open Space Preserve classification to acknowledge those areas covered by the City's MSCP Subarea Plan; and re-arrangement and creation of new land uses and village/town center boundaries within the Otay Ranch; and

WHEREAS, in December 2004, the City originally released the proposed GPU for public review; and,

WHEREAS, the City has referred the proposed GPU to all necessary entities required by the State Planning and Zoning Law, Government Code section 65000 et seq.; and,

WHEREAS, pursuant to California Government Code section 65302.5, the City transmitted the Draft GPU and supporting technical documents to the Office of the State Geologist in the Department of Conservation, State Geological Survey (the current name of the Division of Mines and Geology)("Division") on January 18, 2005, for review and comment. The submittal also included an explanation of how various parts of the Draft GPU addressed safety element and related requirements. The Division provided informal verbal comments to staff by phone on January 25, 2005, that characterized the GPU as having excellent policies and as one of the better documents reviewed. No written comments were received; and,

WHEREAS, pursuant to the requirements of California Public Utilities Code Sections 21670 – 21679.5, the City submitted the GPU to the San Diego County Regional Airport Authority ("Authority") for a determination of consistency with the Brown Field Airport Land Use Compatibility Plan ("ALUCP"). As documented in a May 5, 2005, letter from the Authority to the City, the Authority determined that the proposed GPU is consistent with the current ALUCP; and,

WHEREAS, as a result of the substantial public comments received during the review of the GPU, the City determined in March 2005, that it would pause the GPU process to consider the comments and entertain revisions to the Plan in response; and,

WHEREAS, in September 2005, the City released a revised set of GPU documents and a re-circulated Draft EIR for a second public review; and,

WHEREAS, pursuant to California Government Code section 65090, the Planning Commission held a duly noticed public hearing on the GPU on December 8, 2005, (and December 12, 2005 if needed), and recommended that the City Council adopt the Resolutions approving the GPU and its related actions; and,

WHEREAS, the proceedings and all evidence introduced before the Planning Commission at the public hearing on this project held on December 8, 2005 (and December 12, 2005 if needed), and the minutes and resolution resulting there from, are hereby incorporated into the record of these proceedings; and

WHEREAS, the City Clerk set the time and place for the hearing on the GPU and notices of said hearings, together with its purposes given by its publication in a newspaper of general circulation in the City, at least ten days prior to the hearing; and,

WHEREAS, pursuant to California Government Code section 65090, the City Council held a duly noticed public hearing on December 13, 2005 (and December 20, 2005 if needed), on the subject GPU;

NOW, THEREFORE BE IT RESOLVED, the City Council hereby finds, determines and resolves as follows:

#### I. PLANNING COMMISSION RECORD

The proceedings and all evidence introduced before the Planning Commission at their public hearing held on December 8, 2005, (and December 12, 2005 if needed), and the minutes and resolutions resulting there from, are hereby incorporated into the record of this proceeding. These documents, along with any documents submitted to the decision makers, and all documents specified in Public Resources Code Section 21167.6, as well as those specified in the accompanying CEQA findings, shall comprise the entire record of the proceedings for any California Environmental Quality Act (CEQA) claims.

#### II. FINAL EIR- REVIEWED AND CONSIDERED FINDINGS; APPROVALS

The City Council of the City of Chula Vista reviewed, analyzed, considered, approved and certified a Final EIR, made certain Findings of Fact, adopted a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program for the GPU, pursuant to CEQA, by Resolution No.2005-\_\_\_\_\_.

#### III. GENERAL PLAN INTERNAL CONSISTENCY

The City Council hereby finds and determines that the General Plan, as amended, is internally consistent and shall remain internally consistent following amendments thereof by this Resolution.

## IV. GENERAL PLAN AMENDMENT FINDINGS / APPROVAL

1. The City Council hereby finds that the General Plan Update, as approved in this Resolution, complies with applicable requirements of the State Planning and Zoning Law. In particular, the GPU's proposed Element structure includes the content requirements for all seven mandatory elements pursuant to Government Code section 65302 as shown below:

<u>Mandated Element</u>	<u>Chula Vista GPU Element</u>
Land Use	Land Use & Transportation
Circulation	Land Use & Transportation
Housing	Housing
Conservation	Environmental
Open Space	Environmental
Noise	Environmental
Safety	Environmental

2. The GPU Element structure also includes content related to a number of optional elements not required by State Planning and Zoning Law as shown below:

<u>Suggested Optional Element</u>	<u>Chula Vista GPU Element</u>
Sustainable Development	Environmental
Public Facilities	Public Facilities & Services
Parks and Recreation	Public Facilities & Services
Water	Public Facilities & Services
Energy	Public Facilities & Services
Economic/Fiscal	Economic Development

The GPU also includes a Growth Management Element.

## V. APPROVED GENERAL PLAN UPDATE CONTENT

The amendments to the Chula Vista General Plan hereby adopted pursuant to section VI below by the City Council, consist of the following documents included in the record of proceedings, and on file in the City Clerk's Office:

1. Those portions of the September 2005 re-released Draft General Plan and General Plan Diagram (referenced as Document 1 of 2), pertaining to the Downtown Third Avenue District (GPU Section 9.5.1);
2. Those portions of the September 2005 Draft General Plan Proposed Edits (referenced as Document 2 of 2), pertaining to the Downtown Third Avenue District (GPU Section 9.5.1);

VI. ADOPTION OF GENERAL PLAN UPDATE

In light of the findings above, the General Plan Update provisions are hereby approved and adopted in the form as presented in Section V and on file in the City Clerk's Office.

BE IT FURTHER RESOLVED, that the existing General Plan with the exception of the Housing Element is hereby repealed upon the effective date of the General Plan Update.

Presented by

Approved as to form by

James D. Sandoval  
Planning and Building Director

Ann Moore  
City Attorney

RESOLUTION NO. 2005-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
CHULA VISTA APPROVING THE CITY'S COMPREHENSIVE  
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AND TRANSPORTATION ELEMENT PROVISIONS FOR THE  
H STREET CORRIDOR DISTRICT AND ITS FOCUS AREAS  
(SECTIONS 9.5.2, 9.5.3 AND 9.5.4)

WHEREAS, the City of Chula Vista's current General Plan was last comprehensively updated in July 1989, with a partial update conducted in conjunction with adoption of the Otay Ranch project in 1993; and,

WHEREAS, pursuant to State law, the City has undertaken a periodic, comprehensive review to update its General Plan looking out to the year 2030; and,

WHEREAS, the current Housing Element of the General Plan is subject to 5-year periodic updates under separate provisions of State law, and is therefore not affected by this comprehensive General Plan Update, and will remain in its current form until its next update under applicable State law; and,

WHEREAS, the comprehensive General Plan Update project ("GPU") was initiated with a public Town Hall Meeting in April 2002; and,

WHEREAS, the City and its consultants worked over the next three years in the conduct of an extensive, four-phased public outreach and input process to gather information needed to prepare the GPU, and to share with and receive feedback from the public on various interim work products, and the proposed draft GPU; and,

WHEREAS, that public outreach and input process involved five other Town Hall meetings, and four ad-hoc committees with over 50 citizen members holding over 70 meetings, that included a Steering Committee, Economic Development Subcommittee, Public Facilities & Services Subcommittee, and Environment, Open Space & Sustainable Development Subcommittee; and,

WHEREAS, as part of this three-year process, staff and the consultants also met with the Planning Commission and/or City Council on 19 occasions to provide updates and present interim work products, and to receive preliminary input and direction regarding policy issues and the land use and transportation scenarios to be evaluated; and,

WHEREAS, the areas of land which are the subject of this Resolution contain all lands within the boundaries of the General Plan Update's H Street Corridor District and its Focus Areas

as diagrammatically depicted on the General Plan Land Use Diagram presented as Figure 5-12, and also depicted on Figure 5-28, of the proposed Land Use and Transportation Element; and,

WHEREAS, as more fully described in the GPU staff report, the EIR project description, and the General Plan documents themselves (on file with the City Clerk's Office), the overall amendments proposed by the General Plan Update generally include the addition of housing capacity and an increased density for that additional capacity; the addition of three new Mixed Use classifications; the retention and expansion of industrial employment lands; the creation of a more intensive urban core area in Northwest Chula Vista, and an urban core roadway network and classifications for that area; the addition of a new Urban Core Residential classification; miscellaneous revisions to the circulation roadway network, and the addition of a rapid transit system network; the improvement of connections between eastern and western Chula Vista, and the connection of major activity centers throughout the City such as major shopping centers, educational and sporting facilities, and major community centers; the designation of land to accommodate a distinctive multi-institutional university facility; preservation of large areas of natural open space and the addition of an Open Space Preserve classification to acknowledge those areas covered by the City's MSCP Subarea Plan; and re-arrangement and creation of new land uses and village/town center boundaries within the Otay Ranch; and

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WHEREAS, as a result of the substantial public comments received during the review of the GPU, the City determined in March 2005, that it would pause the GPU process to consider the comments and entertain revisions to the Plan in response; and,

WHEREAS, in September 2005, the City released a revised set of GPU documents and a re-circulated Draft EIR for a second public review; and,



WHEREAS, pursuant to California Government Code section 65090, the Planning Commission held a duly noticed public hearing on the GPU on December 8, 2005, (and December 12, 2005 if needed), and recommended that the City Council adopt the Resolutions approving the GPU and its related actions; and,

WHEREAS, the proceedings and all evidence introduced before the Planning Commission at the public hearing on this project held on December 8, 2005 (and December 12, 2005 if needed), and the minutes and resolution resulting there from, are hereby incorporated into the record of these proceedings; and

WHEREAS, the City Clerk set the time and place for the hearing on the GPU and notices of said hearings, together with its purposes given by its publication in a newspaper of general circulation in the City, at least ten days prior to the hearing; and,

WHEREAS, pursuant to California Government Code section 65090, the City Council held a duly noticed public hearing on December 13, 2005 (and December 20, 2005 if needed), on the subject GPU;

NOW, THEREFORE BE IT RESOLVED, the City Council hereby finds, determines and resolves as follows:

#### I. PLANNING COMMISSION RECORD

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#### II. FINAL EIR- REVIEWED AND CONSIDERED FINDINGS; APPROVALS

The City Council of the City of Chula Vista reviewed, analyzed, considered, approved and certified a Final EIR, made certain Findings of Fact, adopted a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program for the GPU, pursuant to CEQA, by Resolution No.2005-\_\_\_\_\_.

#### III. GENERAL PLAN INTERNAL CONSISTENCY

The City Council hereby finds and determines that the General Plan, as amended, is internally consistent and shall remain internally consistent following amendments thereof by this Resolution.

## IV. GENERAL PLAN AMENDMENT FINDINGS / APPROVAL

1. The City Council hereby finds that the General Plan Update, as approved in this Resolution, complies with applicable requirements of the State Planning and Zoning Law. In particular, the GPU's proposed Element structure includes the content requirements for all seven mandatory elements pursuant to Government Code section 65302 as shown below:

<u>Mandated Element</u>	<u>Chula Vista GPU Element</u>
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2. The GPU Element structure also includes content related to a number of optional elements not required by State Planning and Zoning Law as shown below:

<u>Suggested Optional Element</u>	<u>Chula Vista GPU Element</u>
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Parks and Recreation	Public Facilities & Services
Water	Public Facilities & Services
Energy	Public Facilities & Services
Economic/Fiscal	Economic Development

The GPU also includes a Growth Management Element.

## V. APPROVED GENERAL PLAN UPDATE CONTENT

The amendments to the Chula Vista General Plan hereby adopted pursuant to section VI below by the City Council, consist of the following documents included in the record of proceedings, and on file in the City Clerk's Office:

1. Those portions of the September 2005 re-released Draft General Plan and General Plan Diagram (referenced as Document 1 of 2), pertaining to the H Street Corridor District and its Focus Area (GPU Sections 9.5.2, 9.5.3 and 9.5.4);
2. Those portions of the September 2005 Draft General Plan Proposed Edits (referenced as Document 2 of 2), pertaining to the H Street Corridor District and its Focus Areas (GPU Section 9.5.2, 9.5.3 and 9.5.4);

3. The further edits regarding Transit Focus Areas as presented in Attachment 1 to the December 13, 2005, staff report, and pertaining to the TFA at H Street /Third Avenue.

VI. ADOPTION OF GENERAL PLAN UPDATE

In light of the findings above, the General Plan Update provisions are hereby approved and adopted in the form as presented in Section V and on file in the City Clerk's Office.

BE IT FURTHER RESOLVED, that the existing General Plan with the exception of the Housing Element is hereby repealed upon the effective date of the General Plan Update.

Presented by

Approved as to form by

James D. Sandoval  
Planning and Building Director

Ann Moore  
City Attorney

## RESOLUTION NO. 2005-

### RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AMENDMENTS TO THE OTAY RANCH GENERAL DEVELOPMENT PLAN AND RESOURCE MANAGEMENT PLAN

WHEREAS, the areas of land which are the subject of this Resolution are diagrammatically represented in Exhibit A, and hereto incorporated herein by this Resolution, and commonly known as Villages Two, Three, Four, Eight, Nine, Eleven, University and the Eastern Urban Center (EUC) portion of Planning Area Twelve and Planning Area 20 of the Otay Ranch; and

WHEREAS, on, June 2002, the City initiated an update to the City of Chula Vista General Plan and Otay Ranch General Development Plan (GDP); and the Flat Rock Land Company, Otay Ranch Company, Otay Land Company filed applications with the Planning and Building Department of the City of Chula Vista requesting amendments to the City of Chula Vista General Plan and the Otay Ranch General Development Plan; and these amendments have been consolidated to implement the Preferred Alternative of the General Plan Update with exception of Planning Areas 12 and 20; and

WHEREAS, the amendments to the General Plan for the Otay Ranch include improving the connectivity of major activity centers within the East Area; creating an intensely developed urban core, improving connectivity and relationships between large activity centers such as major shopping centers, educational and sporting facilities, and major community centers; designating land for a distinctive multi-institutional university; preserving large areas of natural open space and realigning arterial roads, re-arranging and creating new land uses and village boundaries within the Otay Ranch; and

WHEREAS, the amendments to the Otay Ranch GDP will create a new Town Center land use designation intended to encourage mixed-use areas of higher density and intensity than that of the traditional villages in Otay Ranch; create a new Town Center Arterial street classification, designed to serve town centers by accommodating sufficient traffic volume while maintaining acceptable traffic flow; integrate and expand Bus-Rapid Transit (BRT) vehicles into the circulation system, replacing the previously planned light rail transit system; preserve and expand the light industrial and research designated lands; create the new Regional Technology Park (RTP) land use designation intended to provide more and higher-paying employment opportunities in the city; revise the GDP for certain roadways to reflect recently adopted open space preservation plans and the adjacent community plan within the City of San Diego; create a new Active Recreation land use designation that provides opportunities for public and private recreational activities; and adjust the land uses within the EUC; and

WHEREAS, the amendments to the Otay Ranch GDP Resource Management Plan (RMP) will adjust the Otay Ranch Preserve boundaries to be consistent with the Multiple Species Conservation Plan (MSCP) boundaries as represented in Exhibit “B”; and

WHEREAS, the Planning Commission held a duly noticed public hearing on the Project on December 8 2005, and December 12 (if necessary), and recommended that the City Council amend the City General Plan and the Otay Ranch General Development Plan; and

WHEREAS, the proceedings and all evidence introduce before the Planning Commission at the public hearing on this project held on December 8 and 12, (if necessary) 2005, and the minutes and resolution resulting there from, are hereby incorporated into the record of this proceedings; and

WHEREAS, the City Clerk set the time and place for the hearing on the General Plan and Otay GDP amendments and notices of said hearings, together with its purposes given by its publication in a newspaper of general circulation in the city at least ten days prior to the hearing; and

WHEREAS, a duly called and noticed public hearing was held before the City Council on December 13, 2005 (and December 20 if necessary) on the General Plan and Otay Ranch GDP amendments.

NOW, THEREFORE BE IT RESOLVED, the City Council hereby finds, determines and resolves as follows:

#### I. PLANNING COMMISSION RECORD

The proceedings and all evidence introduced before the Planning Commission at their public hearing held on December 8 and 12, 2005, and the minutes and resolutions resulting there from, are hereby incorporated into the record of this proceeding. These documents, along with any documents submitted to the decision makers and documents specified in Public Resource Code Section 21167.6 and accompanying CEQA finding, shall comprise the entire record of the proceedings for any California Environmental Quality Act (CEQA) claims.

#### II. EIR- REVIEWED AND CONSIDERED FINDINGS; APPROVALS

The City Council of the City of Chula Vista reviewed, analyzed, considered, approved and certified EIR, made certain Findings of Fact, adopted a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program for the Project, pursuant to CEQA, by Resolution No.2005-\_\_\_\_\_.

#### III. APPROVAL OF GENERAL PLAN AMENDMENT

The City Council approved amendments to the Chula Vista General Plan to rearrange the adopted land use districts and Otay Ranch village boundaries, and establishing new land use

designations at various locations and to change certain roadway classifications in the form on file at the City Clerk's Office by Resolution 2005- \_\_\_\_\_.

#### IV. GENERAL PLAN INTERNAL CONSISTENCY

The City Council hereby finds and determines that the General Plan is internally consistent and shall remain internally consistent following amendments thereof by this Resolution.

#### V. GENERAL DEVELOPMENT PLAN FINDINGS/APPROVAL

A. THE PROPOSED DEVELOPMENT AS DESCRIBED BY THE GENERAL DEVELOPMENT PLAN IS IN CONFORMITY WITH THE PROVISIONS OF THE CHULA VISTA GENERAL PLAN, AS AMENDED.

The amendments to the Otay Ranch General Development Plan are also the proposed changes to the General Plan and are in substantial conformance with the General Plan policies, as amended in that:

1. Otay Ranch General Plan Amendments include improving the connectivity of major activity centers within the East Area; creating an intensely developed urban core, improving connectivity and relationships between large activity centers such as major shopping centers, educational and sporting facilities, and major community centers; designating land for a distinctive multi-institutional university; preserving large areas of natural open space and realigning arterial roads, re-arranging and creating new land uses and village boundaries within the Otay Ranch;
2. Otay Ranch GDP Amendments will create a new Town Center land use designation intended to encourage mixed-use areas of higher density and intensity than that of the traditional villages in Otay Ranch; create a new Town Center Arterial street classification, designed to serve town centers by accommodating sufficient traffic volume while maintaining acceptable traffic flow; integrate and expand Bus-Rapid Transit (BRT) vehicles into the circulation system, replacing the previously planned light rail transit system; preserve and expand the light industrial and research designated lands; create the new Regional Technology Park (RTP) land use designation intended to provide more and higher-paying employment opportunities in the city; revise the GDP for certain roadways to reflect recently adopted open space preservation plans and the adjacent community plan within the City of San Diego; create a new Active Recreation land use designation that provides opportunities for public and private recreational activities; and adjust the land uses within the EUC
3. The proposed GDP fully implements the concept envisioned in the General Plan by providing the necessary standards and guidelines for the preparation of implementing plans and regulatory documents.

4. Amendments to the adopted General Plan are being processed concurrently, and are required to establish GDP consistency with the General Plan. The land use designations included in the Otay Ranch GDP are those proposed as amendment to the General Plan.
5. With the adoption of the proposed amendments to the General Plan, the Otay Ranch General Development Plan will be in substantial conformance with the amended General Plan.
6. The amendments to the Otay Ranch GDP Resource Management Plan (RMP) will adjust the Otay Ranch Preserve boundaries to be consistent with the Multiple Species Conservation Plan (MSCP) boundaries.

**B. THE PLANNED COMMUNITY DEVELOPMENT WAS INITIATED AND ESTABLISHED WITHIN TWO YEARS OF THE ESTABLISHMENT OF THE PLANNED COMMUNITY ZONE.**

1. The Otay Ranch was rezoned PC with the adoption of the Otay Ranch GDP in October of 1993, the property was officially zoned PC with the annexation of the Otay Valley Parcel in March of 1997 and implemented when the first Sectional Planning Area Plan One was adopted in June 1996 and the first Final Map recorded in March of 1998; and

**C. IN THE CASE OF PROPOSED RESIDENTIAL DEVELOPMENT, THAT SUCH DEVELOPMENT WILL CONSTITUTE A RESIDENTIAL ENVIRONMENT OF SUSTAINED DESIRABILITY AND STABILITY; AND THAT IT WILL BE IN HARMONY WITH OR PROVIDE COMPATIBLE VARIETY TO THE CHARACTER OF THE SURROUNDING AREA AND THAT THE SITES PROPOSED FOR PUBLIC FACILITIES SUCH AS SCHOOLS, PLAYGROUNDS AND PARKS, ARE ADEQUATE TO SERVE THE ANTICIPATED POPULATION AND APPEAR ACCEPTABLE TO THE PUBLIC AUTHORITIES HAVING JURISDICTION THEREOF.**

1. The 2005 Otay Ranch GDP Amendments will create a new Town Center land use designation intended to encourage mixed-use areas of higher density and intensity than that of the traditional villages in Otay Ranch. The Town Centers will provide residential development that is pedestrian oriented and in harmony with the pedestrian oriented character of the Otay Ranch villages. The Town Centers are planned to have their own schools and parks and other public facilities based on their population as indicated in the Otay Ranch GDP. The City, school districts and water districts have reviewed the Town Center proposal and find that public facilities appear to be adequate to serve the Town Centers; and

**D. IN THE CASE OF PROPOSED INDUSTRIAL AND RESEARCH USES, THAT SUCH DEVELOPMENT WILL BE APPROPRIATE IN AREA LOCATION AND OVER-ALL DESIGN TO THE PURPOSE INTENDED; THAT THE DESIGN AND DEVELOPMENT**

STANDARDS ARE SUCH AS TO CREATE A RESEARCH OR INDUSTRIAL ENVIRONMENT OF SUSTAINED DESIRABILITY AND STABILITY; AND THAT SUCH DEVELOPMENT WILL MEET PERFORMANCE STANDARDS ESTABLISHED BY THIS TITLE, IN THAT:

1. The 2005 Otay Ranch GDP Amendments will create preserve and expand the light industrial and research designated lands in some cases as a buffer to the Otay Landfill and create the new Regional Technology Park (RTP) land use designation intended to provide more and higher-paying employment opportunities in the city. Specific development and performance standards will be adopted as part of the Planned Community District regulation in the SPA plan for each industrial master planned project;

E. IN THE CASE OF INSTITUTIONAL, RECREATIONAL AND OTHER SIMILAR USES NONRESIDENTIAL USES, THAT SUCH DEVELOPMENT WILL BE APPROPRIATE IN AREA, LOCATION AND OVER-ALL PLANNING TO THE PROPOSED PURPOSES AND THAT THE SURROUNDING AREAS ARE PROTECTED FROM ANY ADVESE EFFECTS FROM SUCH DEVELOPMENT, IN THAT:

1. The Neighborhood parks in the villages and town center will be designed to protect residential areas and the Community Park in Village 4 is bordered by arterial roads and open space,
2. The GDP creates a new Active Recreation land use designation that provides opportunities for public and private recreational activities; and

F. THE STREETS AND THOROUGHFARES PROPOSED ARE SUITABLE AND ADEQUATE TO CARRY THE ANTICIPATED TRAFFIC, IN THAT:

1. A new Town Center Arterial street classification is created to serve town centers by accommodating sufficient traffic volume while maintaining acceptable traffic flow;
2. Bus-Rapid Transit (BRT) system of vehicles integrate into the circulation system, replacing the previously planned light rail transit system;
3. The Circulation Element within the East Area Plan is revised and corresponding changes to certain roadways in the GDP are made to reflect recently adopted open space preservation plans and the adjacent community plan within the City of San Diego; and

G. THE PROPOSED COMMERCIAL DEVELOPMENT IS JUSTIFIED ECONOMICALLY AT THE LOCATIONS PROPOSED AND WILL PROVIDE ADEQUATE COMMERCIAL FACILITIES OF THE TYPES NEEDED AT SUCH PROPOSED LOCATIONS, IN THAT:

1. The retail commercial land use within the Freeway Commercial was established by the adoption of the Otay Ranch GDP in 1993 where the Fiscal Impact of New Development (FIND) model indicated that the taxes from the retail commercial uses made up the deficits



from the residential development. The GPU fiscal model further indicates the need for commercial retail uses to balance the fiscal impact from residential uses. Maintaining the existing retail commercial land use designation on the Freeway Commercial will ensure that land for needed commercial uses is available; and

2. The land uses within the EUC are adjusted to provide more opportunities within the EUC. Commercial land uses in the EUC are increased in the GDP to respond to economic demand for regional commercial uses from the villages and town centers of the Otay Ranch and business office components of the EUC. Expanding the commercial component of the EUC will also provide for neighborhood commercial uses for the increased residential component of the EUC.

## VI. ADOPTION OF AMENDED GENERAL DEVELOPMENT PLAN

In light of the findings above, the amended Otay Ranch General Development Plan including Resource Management Plan amendments for the Preserve boundary with modifications as presented in Attachments 4A and 4B to the December 13, 2005 Staff Report that reflect the Staff Recommended Alternatives for Planning Area 20 and the Freeway Commercial portion of Planning Area 12 of the GDP and as presented in Attachment 6 to the December 13, 2005 Staff Report that reflect miscellaneous corrections to the Staff recommended GDP Amendment are hereby approved and adopted in the form on file in the City Clerk's Office.

Presented by

Approved as to form by

James D. Sandoval  
Planning and Building Director

Ann Moore  
City Attorney

# OTAY RANCH SUBAREA

## PLANNING DISTRICTS





